

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DARYL BULLAR, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 11-cv-468-MJR-PMF
)	
ARCHWAY SKYDIVING CENTRE, INC.,)	
et al.,)	
Defendants.)	

REPORT AND RECOMMENDATION

FRAZIER, Magistrate Judge:

Before the Court is Vandalia Park District's motion for a finding of good faith settlement and dismissal (Doc. No. 253). The motion is not opposed.

Whether a settlement agreement satisfies the requirements of the Contribution Act is a matter left to the discretion of the trial court, based upon due consideration of the totality of the circumstances. Factors considered include the amount of a settlement in relation to the probability of recovery, the defenses raised, the settling party's potential legal liability, the reasonableness of the amount paid by the settling party, the possibility of a personal relationship between the settling parties, and any attempt to conceal the settlement terms. The undersigned is familiar with the circumstances and finds that the settlement negotiated between the plaintiffs, the Vandalia Park District, and the Vandalia Municipal Airport is fair, reasonable, and made in good faith. The settlement terms are also consistent with the policies underlying the Contribution Act.

IT IS RECOMMENDED that the motion (Doc. No. 253) be GRANTED. All claims in the Fifth Amended Complaint asserted against Vandalia Municipal Airport and Vandalia Park District should be dismissed with prejudice, without an assessment of costs.

SUBMITTED: April 23, 2014.

**s/Philip M. Frazier
PHILIP M. FRAZIER
UNITED STATES MAGISTRATE JUDGE**